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# The Limits of Local Accommodation: Why Contentious Events Remain Prone to Conflict in Northern Ireland<sup>1</sup>

*Katy Hayward and Milena Komarova*

## **Abstract**

This paper examines the difficulties of finding local solutions to the problem of contentious events in contemporary Northern Ireland. In so doing, it offers a sociological perspective on fundamental divisions in Northern Ireland: between classes and between communities. It shows how its chosen case study – parades and associated protests in north Belfast – exemplifies the most fundamental problem that endures in post-Agreement Northern Ireland, namely that political authority is not derived from a common civic culture (as is the norm in western liberal democracy) but rather that legitimacy is still founded on the basis of the culture of *either* one or the other community. Haugaard's reflections upon authority and legitimacy are used to explore Northern Ireland's atypical experience of political conflict vis-a-vis the Western liberal democratic model. And the Bourdieusian concepts of field *illusio* and *doxa* help to explain why it is that parading remains such an important political and symbolic touchstone in this society.<sup>1</sup>

**Key words:** Belfast; Conflict; Identity; Legitimacy; Parades; Protests; Territory

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This paper begins from the premise that the enduring problem of stalemates, standoffs and street violence around commemorative events in Northern Ireland is a symptom of its ailing political system. We will argue this through a detailed examination of the case study of the annual Twelfth of July Orange parades, and protests at these parades, through the predominantly Catholic area of Ardoyne in North Belfast. This has been a contentious event since the early 1970s, and, despite some progress in the mid-2000s and persistent efforts at conflict-prevention, it remains arguably the most predictable occasion and place for serious street level violence and communal conflict in Northern Ireland. Indeed, *because* this event is widely seen as a weatherglass for community tensions in wider society, political and community leaders on both sides use the Twelfth of July parades through Ardoyne as a signal occasion for *setting the limits to compromise*. We have chosen this phrase carefully because we note that the overarching tenor and tone of all political discourse around these contentious events is one of defiance. Whilst, in the lead up to the Twelfth, elite-level actors (including the Parades Commission) place a heavy emphasis on the vital role for local-level negotiation and accommodation (see below), we argue that any such efforts at finding a local solution are inextricably hamstrung by the social realities of post-Agreement Northern Ireland.

In sum, in the current political climate, the efforts towards managing (and even resolving) conflict around contentious events such as the Twelfth of July parades through Ardoyne are given no legitimacy. Instead, the norms, values, discourses and practices that predominate around these events are those that reinforce the conditions for conflict or, at the very least, direct communal opposition. Thus, we explain how the events on one portion of one street in Belfast on one day embody the legacy of conflict and the enduring problem of trying to find compromise in Northern Ireland.

## **Layers of division**

### *The absence of a shared civic culture*

Legitimacy and stability are conferred on any political system by its civic culture.<sup>2</sup> Cultural power transmogrifies into ‘the natural order of things’ and thus the use of direct confrontation to maintain social order in most modern societies is exceptional. The locus of power has moved from external forces to internalised restraint.<sup>3</sup> And in western, capitalist cultures, power is experienced not as conflict but as competition, within the logic of which those with less power are made to accept their actions ‘are constitutive of the power of the powerful’.<sup>4</sup> In these democracies, the healthiest forms of political power are perceived to be those that are most limited and refined by the effects of this perpetual competition in all aspects of society.

The key to creating such a stable, non-(overtly)coercive society is legitimacy. Legitimacy is a social process but is closely tied to political authority.<sup>5</sup> Authority itself is a consequence of a status position which is itself given only when the performance of the person with authority matches expectations, as defined within his/her social field.<sup>6</sup> And so Haugaard describes the ultimate ideal of political power in western liberal democracies as seeming to transcend the necessary internal oppositions and to ‘surf the waves of competition, fluidly and malleably’ whilst ensuring that they do no harm.<sup>7</sup>

If we consider now the situation in contemporary Northern Ireland in this light, we immediately see a major problem. When we attempt to draw ties between political authority and civic culture, we see that political status and social expectations are judged differently according to different political communities (social fields) – it is thus very rare for political leaders to be seen as authoritative across Northern Ireland society. Cultural power works *within* communities to create a stable system of social order, to shape social norms and values and to construct expectations of political performance. In a ‘healthy’ society, ‘social actors have multiple interpretative horizons available to them as part of their everyday social practices’.<sup>8</sup> But in a divided society, the capacity to choose from these interpretative horizons is constricted, both in terms of discourse and in terms of socially-acceptable behaviour. These constraints on ‘interpretation’ are more acute for social actors whose other horizons (material, educational, vocational) are also heavily constrained.<sup>9</sup> For this reason, the class divide in Northern Ireland is best described in terms of a ‘detached’ and ‘particularized’ habitus, rather than as ‘middle’ and ‘working’ class (see below).<sup>10</sup> Haugaard contends that, in a modern liberal society, ‘with the complex detached habitus goes ease and a sense of entitlement to politics while with the particularized habitus goes a feeling that politics is not for us’.<sup>11</sup>

### *The post-Agreement environment*

This is not quite true of a divided society such as Northern Ireland, which is in a process of transition from being a society in which political power was overwhelmingly in the domain of one ethnic group, through to one of an over-politicised society (in which few aspects of social conditioning were removed from political contestation), to one of consociational agreement. The 1998 Agreement paved the way for a political system that centred on elite power-sharing; fifteen years on, the middle class luxury of being able to make a decision about *whether* to become politically engaged contrasts with the working class experience, i.e. having no choice about being directly affected by political conflict but yet having limited power to change it. This is, it must be noted, much more of a minority experience – confined to and largely

constituted by, the local spatial and socio-economic character of particular areas<sup>12</sup> – than it was during the Troubles, but it helps to explain why those with a particularized habitus in Northern Ireland are more likely to experience the ‘politics is not for us’ sentiment in terms of a rejection of the Agreement itself, be it in the form of dissident republicanism or protesting loyalism.

If the pathway out of conflict in Northern Ireland is generally approached as being one of growing mutual understanding and respect, the assumption is that there must be recognition of the legitimacy of different ‘interpretive horizons’ held by its various communities. However, it is still the case that, for many, ‘interpretive horizons’ different to that of one’s own group are seen as posing a direct challenge to that group. This, it has been argued, is because, although the Agreement sought to give parity to different political aspirations and cultural values in Northern Ireland, it simultaneously centred on a conceived binary which posits two communities in fundamental tension with one another (British/Unionist/Protestant/Ulster Scots v. Irish/Nationalist/Catholic/Gaelic). Although it is the case that some cultural identities do not fit comfortably with other political aspirations (e.g. Ulster Scots with Nationalism), it is not the case that one cultural identity automatically means that a particular political aspiration will be held (e.g. Gaelic with Irish Nationalist aspiration for a united Ireland). Nevertheless the strength of the binary is such that Northern Ireland’s future is in suspense – held in tension between the Unionist and Nationalist power-holders – and the resulting sense of communal insecurity means that few have the confidence to be open to (let alone to explore) an ‘interpretive horizon’ associated with the ‘other’ community. Actors, particularly political and community leaders, are therefore most confident in remaining within their singular interpretative horizon, and one which is, for all intents and purposes, in opposition to another.

Aughey describes the situation thus: ‘Here is a mythological imagination which tends either to *overestimate* the potential of one’s own side – an exercise in hubris – or to *overemphasise* the demonic potency of the other side – an exercise in paranoia’.<sup>13</sup> In addition to such effects of the consociational political milieu, there are more immediate reasons why there is worse polarisation of community identities among the ‘particularized’ class. For instance, there is a lack of acquaintance with different ways of making sense of the world, especially for those in underprivileged areas. Means by which other ‘horizons’ are opened up and contact is made with diverse groups of people – through residential mixing, university education, career progression, travel, etc. – are far less likely for people in such areas. Instead, much social

experience (in school ethos, neighbourhood, community activity, for example) serves to reinforce an interpretative horizon/group identity that is not only fairly singular but that is also seen as being made more vulnerable by the strength of another community.<sup>14</sup> The social processes behind this identity are the same in all particularized communities, but the discourses and practices which define this collective identity are very different according to the community in question.

### *Community identity as a site of struggle*

The specific social conditions of an individual give rise to a system of dispositions (or *habitus*) in which certain social practices become like second nature, and help to seal membership of a wider social body.<sup>15</sup> Hillier and Rooksby observe that *habitus* is ultimately ‘a sense of one’s (and others’) place and role in the world of one’s lived environment’ and that it is ‘an embodied, as well as a cognitive, sense of place’.<sup>16</sup> In Bourdieu’s understanding of *habitus* social space translates into physical space and thus helps to demonstrate that there is a mutually constitutive relationship between the politics and culture of a democratic public sphere and the constitution of space.<sup>17</sup> This centres upon what he terms the ‘field’ in which the individual resides – the product of social practices and networks which are largely spatially bounded and which, together, give a sense of a community united in a struggle for resources and recognition.<sup>18</sup> There are two critical elements needed for a ‘field’ to be fully integrated and united: *illusio* (investment and interest in this shared social struggle) and *doxa* (the tacit rules followed by all actors in the field).<sup>19</sup> This theoretical framework helps illuminate some of the factors at work in grassroots polarisation (and disaffection) in contemporary Northern Ireland. In the context of transition out of conflict, and in the circumstances experienced by those in the less fortunate ‘particularized’ classes, membership of a field, defined around a clear political-cultural identity, holds greater import. Individuals, therefore, may invest particular effort in the collective ‘struggle’ of their field for resources and recognition, either in terms of interest or in actual engagement. Related to this, membership of the field is characterised by holding certain field-specific resources; in this case, these resources are most likely to be in the form of social or cultural capital as defined within that field. And this brings us back to the reason for the exaggeration of difference and the reaction of violent protest to matters of particular symbolic significance to the culture (field), such as contentious events.

The circumstances in which the contested legitimacy of the Agreement is most evident are around matters of high cultural symbolism, such as the flying of the union flag on City Hall or

an Orange parade through a predominantly ‘Catholic’ area. It has long been recognised that shared symbolic acts reinforce group solidarity and a sense through bolstering commitment to a shared set of beliefs and practices.<sup>20</sup> More than this, they solidify (and even themselves create) collective memories that are drawn upon by the community across time.<sup>21</sup> There are wider dangers in this process in a modern liberal democracy. As Lukes notes, the shoring up of a sense of social cohesion through ritual occasion by one group can occur at the expense of another – it reflects a broader power tussle.<sup>22</sup> Similarly, Koster claims ‘the ritual impulse’ in modern, multi-ethnic states can give rise to the danger of ‘exclusion, stigmatization, conformity and the marginalization of dissent’. He stresses the aggressive totalitarian potential of ‘ritual space’ for the emotional experience of collective identity which ‘excludes both individual differentiation and the symbolic presence of other tribes’.<sup>23</sup> To elaborate: Koster sees severe ethical risks arising from the role of ritual in the modern state specifically because when ritual performance takes to the streets it can intensify the collective experience of identity in relation to territory.<sup>24</sup> This is clearly evident in the case of Northern Ireland, where the connections between local territory and collective identity are so strong. Not only are parades – and the related conflict – heavily territorialised (e.g. a parade can be contentious because of its route), public disorder is most likely at the boundaries of ‘communal territories’ in heavily segregated urban areas.<sup>25</sup>

This helps us understand why collective responses to contentious events reflect differences between the detached and the particularized habitus. Those whose daily lives and sense of security are most directly affected by the symbolic defeat (e.g. those living in interface areas) are most likely to channel their emotional reaction into a decision to protest and to ‘defend’ one’s group in the public arena. Their physical presence – as well as communicative expression (including through the web and the media) – in an effort to *disrupt the social order* is the most powerful expression of their sense of powerlessness. Elias argues that processes of civilisation entail the channelling of emotion into new forms<sup>26</sup> and those with the luxury of detachment from the same symbolic victory/defeat (most particularly those living outside the areas affected) claim a lack of interest and, if they have an emotional reaction, it takes the form of an expression of dismay and even disgust at such protests/disorder and their effects. But for those directly involved in the protests and acts of social disruption – if they are on the basis of defence of a collective identity and ideology – these experiences create the effect of further alienation from the institutions of law and order, plus a growing intensity of group identity. We see in the emotional energy created by participants in these instances of public contestation in post-Agreement Northern Ireland the reinforcing of group solidarity and the

production of a particularized cultural capital<sup>27</sup> – both of which serve to deepen communal divisions.

To return briefly to Haugaard's description of a healthy liberal democracy:

Legitimacy is the key to creating a system that is stable, where observable coercion is the exception, never the rule. This entails elites using discourse to legitimize decision-making.<sup>28</sup>

In Northern Ireland, we see observable coercion around contentious events for three main reasons. First, elite discourse is used to legitimise conflictive community positions (based on the *doxa* of the social field) and to challenge the decisions of the formal institutions charged with managing the event (i.e. the Parades Commission and the PSNI). As a result, these institutions of state order are perceived to lack both legitimacy and authority. Second, elite power-holders are becoming skilled in working out compromises in the form of a carving up of benefits (risking making this a 'shared out' rather than 'shared' society, as Prime Minister Cameron put it).<sup>29</sup> But the political environment this creates makes it even more difficult to find compromise at the local level around matters that appear to pose a proximate threat or that are given particular cultural and symbolic importance. Third, the alienation of 'particularized' groups (i.e. ones most directly affected by the risk of violence, or who see themselves to have lost the most by the Agreement) is expressed less through the ballot box than through on-street demonstration.

### ***The site of contention***

#### *Twelfth of July parades through Ardoyne*

There are approximately 4000 parades held in Northern Ireland each year (this has grown in recent years; of these, around five per cent are contentious).<sup>30</sup> In terms of what makes a parade 'contentious', we note that it can be both the event/persons being commemorated<sup>31</sup> and the route of the parade itself. There are on average around 20-30 protests at Orange parades each year, the vast majority of which relate to objections from residents in a predominantly Catholic-populated area at the passing of a parade through their neighbourhood. Such protests, therefore, can only properly be understood in *both* their spatial context of segregation and their symbolic context of cultural contestation. In the case of Ardoyne, we have a particularly potent combination of the two. First, in terms of segregation, Ardoyne is a densely populated ward of 0.6km<sup>2</sup> with slightly fewer than 6000 residents, 93 per cent of whom are Catholic by religious affiliation. This is a young population (26 per cent are aged under 16 and the average age is 30) with multiple long-term social and material problems: 31



per cent of people have long term health problems that affect their daily activities, 47 per cent of households live in relative poverty, 51 per cent of adults are economically inactive and 64 per cent of adults have no or low qualifications.<sup>32</sup> Added to all these acute difficulties is the sense of isolation felt by a community surrounded by Protestant majority wards (Ligoniel, Woodvale, Shankill, Glencairn). Despite the fact that these areas, too, suffer significant levels of deprivation, the experience is not seen as 'shared' with Ardoyne but instead community members believe themselves to be competing against the 'other' community for scarce resources and recognition.<sup>33</sup> This sense of isolation is exacerbated by the starkness of segregation and the strict spatial and experiential lines of community division.<sup>34</sup> Thus, Ardoyne epitomises the 'particularized' community described above: material, cultural, and social horizons are heavily localised and confined within the spatial boundaries of the field.

This in many ways ties in with the conflict legacy. The Cost of the Troubles study found that over 20 per cent of conflict-related deaths took place in a single square mile in North Belfast (postal districts BT13, BT14 and BT15), including over 100 in Ardoyne.<sup>35</sup> Some critical incidents of the Troubles occurred around Orange parades through the area (such as the IRA gun battle of June 1970) which means that these parades, and this parade route, has particular significance in collective memory and is a touchstone for political sensitivities on both sides. In present day negotiations, the subject of debate comes down to the management of the morning (outward) and evening (return) parades on a two hundred metre stretch of the Crumlin Road past Ardoyne (i.e. the ward boundary) to the Crumlin roundabout, with junctions to Twaddell and Woodvale, both Protestant-majority areas. For nationalists, the objection to parades through their areas is based on the priority of residents' rights over the cultural rights of non-residents and the offence caused by the symbolic resonance of the parades themselves. For unionists, the insistence on keeping the traditional route for the parade is a means of maintaining place-based identity and group cohesion in the face of political dislocation.<sup>36</sup>

#### *The rise and fall of local accommodation in Ardoyne*

In the early 1990s, key local figures in Sinn Féin, such as Gerry Kelly, made clear statements promising that the parades issue would be addressed once and for all through any multi-party Agreement, as a human rights issue. Thus, in addition to the numerous other responsibilities held by leading republican figureheads in the area, came the responsibility for leading protests against the parades through Ardoyne. In 2005, republican protests became more structured with the creation of the Ardoyne Parades Dialogue Group (APDG), which led a sit-down

protest on the Crumlin Road on the Twelfth of July. The PSNI forcibly removed these protestors, which included Sinn Féin leaders Gerry Adams and Gerry Kelly, from the road. Riotous behaviour followed the return parade that evening and 105 police officers and at least 8 civilians were injured. The military were also involved in policing this disturbance and facilitating the parade. From that point, mainly in fear of the risk to life posed by these disturbances, the APDG went into talks with the North West Belfast Parades and Cultural Forum (NWBPCF), which represents the unionist standpoint on the issue. From 2006-2008, agreement was found over the nature of these parades, specifically the agreement not to allow loyalist 'supporters' to follow the bands. The parades passed off peacefully, with protests formalised and permitted by the Parades Commission (which needs to grant permission to protests as well as to parades) and the events were policed by far fewer police officers in, as one interviewee put it, 'high viz jackets and white shirt sleeves' rather than riot gear. As one negotiator on the loyalist side told us:

And that was the community taking responsibility for the situation on the ground. And it was amazing to see such a positive effect that we had on the ground as a result of our face-to-face negotiations. And it was a marvel to watch and to be part of because previously you would have seen these very, very violent scenes and then we had almost an outbreak of peace. And it was fascinating to be part of.<sup>37</sup>

However, from the NWBPCF point of view, the context for negotiation changed significantly after 2008, when they saw the beginning of what they termed "a very belligerent approach" from Ardoyne. This was clearly put down by one loyalist interviewee to increasing local tensions among nationalists after Sinn Féin signed up to policing, leading to contestations as to who really held claim over nationalist hearts and minds, legacy and inheritance. The 2009 Twelfth of July parade through Ardoyne saw a return to violence, with riots in the evening and gunshots fired; Sinn Féin's Gerry Kelly blamed the Real IRA for organising the violence. Growing fragmentation within Ardoyne, and republicanism more generally, was exemplified in the fact that, as APDG disintegrated in 2009, two bodies emerged to take its place: the Sinn Féin-approved Crumlin Ardoyne Residents' Association (CARA) and the dissident republican Greater Ardoyne Residents Collective (GARC). Not only did NWBPCF not know whom it should negotiate with in order to avoid trouble, it also became increasingly wary that there was growing pressure within Ardoyne to push for no compromise. More destructively, it argued that CARA no longer had the 'wherewithal to reach an accommodation' and prevent violence and therefore used this as a reason not to engage in talks with them.<sup>38</sup>

The year of 2010 saw a public and visible demonstration of this fragmentation, when the GARC members organised a sit-down protest on the Crumlin Road. The images of the protest before and after the police set in to move them generated a message spread immediately around the world that all too obviously contrasted Sinn Féin's carefully judged argument in favour of cooperation with the reformed police service. The riots in the area after the evening parade was through went on for four days. In 2011, the tactic of GARC changed, and they submitted a request to hold a parade of their own on the Crumlin Road at the same time as the return parade of the Orange Order in the evening. This republican parade was rerouted, by the Parades Commission determination, within the streets of Ardoyne and away from the Crumlin Road itself. It passed off with little incident until a breakaway group of young people attempted to break the police barrier preventing their access to the Crumlin Road and, with it, direct engagement with the Orange marchers. The riots went on for several days and dozens of plastic baton rounds were fired. In 2012, GARC repeated its tactic and the Parades Commission determination was the same (to keep republicans off the Crumlin Road at the same time as the Orange marchers); the Parades Commission also determined that the return parade of the Orange band had to complete at an earlier time than usual (4pm rather than 7pm). This gave rise to protests from all sides, including Unionist politicians. On the evening itself, 'protest parades' from both sides attempted to converge on the Crumlin Road at the same time and came within a (literal) stone's throw of each other. The police positioned as a human barrier between the two groups took the brunt of the violence. In 2013, the Parades Commission banned the evening return parade of the Orange bands altogether, and also banned protest parades. Heavy police reinforcements had been called in from Britain in advance and there was a strong security presence on the day. Tactics on both sides changed, with the loyalist protestors using the strategy of blocking the road as close as possible to their chosen route on the Crumlin Road. Many months later, loyalist protestors were still attempting to keep the issue 'live', through the use of daily protests, vigils, a camp at the site of the blocked parade and parades into the city centre to express protest.

The perpetuation, and escalation of conflict around the parades issue in Ardoyne reflects wider processes of identity-construction, polarisation and legitimacy crises in Northern Ireland society. The connection between an individual marcher's sense of civic identity and his/her experience of parading on the Twelfth can be extremely strong:

there are people in these communities who see the parade as very much as a very public affirmation of who they are. And when [the parade] is attacked, they see it very much as a personal attack.<sup>39</sup>

Thus, the greater forces of tension within unionism (particularly around political representation) the greater the significance given to the symbolism of the parades. This is relevant because the crisis of leadership in unionism that has deepened since the Agreement is most acutely felt at the edges of the influence of the mainstream parties, i.e. in working class areas.<sup>40</sup> One interviewee claims that the gap between unionist elected representatives and ordinary working class people has widened to the point of it almost being at an end. He claims, 'people are so disenfranchised, disempowered now that they feel as if they're probably the lowest rung of the social ladder if you are living as Protestant in a working class area'.<sup>41</sup> This sense of disempowerment is very prevalent in the protests at rerouted parades<sup>42</sup> – and it is no coincidence that these tend to be in interface areas.

### *The emphasis upon local accommodation*

Although a number of Orange parades had long been problematic or contested, inter-community disputes over parading achieved their high level political significance in the mid-1990s. This was a consequence of the move from ceasefires to negotiations, during which time unionism sought to emphasise its equality in cultural terms and nationalism sought to emphasise its equality in terms of human rights. The response of the British government and security forces to the problem of contentious parades was to encourage local accommodation between the parties directly concerned in order to reach a 'mutually acceptable compromise'.<sup>43</sup> The North Report on parading formalised this approach, seeing the desirable outcome as being 'local accommodation', with legal rulings, and heavy security enforcement, only the last resort.<sup>44</sup> This approach was reiterated by the Quigley Review of the functioning of the Parades Commission, which argued that the trend towards local accommodation should be accelerated in order to 'provide a process whose outcomes are achieved within a framework which is transparently fair and recognised as such'.<sup>45</sup> Quigley's report was submitted less than a month before the Assembly was suspended for a period of almost 5 years, so it not surprising that his recommendations were not officially responded to by the Executive or by the government. In place of that, the Northern Ireland Affairs Committee in Westminster held its own review of the Parades Commission and its report, too, emphasised that:

The fundamental function of the Parades Commission is to facilitate local solutions to parading problems. The involvement of the Commission itself is a necessary 'half way house' to encourage and develop local solutions to local problems.<sup>46</sup>

This remains the principle upheld by the Parades Commission itself, as reiterated in determinations on contentious parades through Ardoyne:

we hope that all local political representatives, clergy, community activists and those persons of influence will use their influence to reduce the potential for violence and to enhance the potential for robust, durable and good community relations.<sup>47</sup>

And the police also rely heavily on these processes of local negotiation in the lead up to contentious parades and protests. As a senior officer commented:

The fact that we have committed people on both sides of the community here ringing each other and who try and work with each other and with the police to try and resolve tension is beyond invaluable.<sup>48</sup>

However, even the fact of communicating closely with the police or crossing the street to meet a representative from the other ‘side’ makes considerable demands of local level players; we now turn to elaborate why this is so, bearing in mind that these various reasons all, ultimately, centre upon the fact that the conditions for community level cohesion and compromise around these contentious events have not been fostered by the working out of the 1998 Agreement. One community worker goes so far as to say that this essential aspect of building peace was entirely neglected in the construction of the Agreement:

I think the British and Irish government and to a lesser degree the American government had their focus on the political architecture... and they made a mistake by applying themselves and their resources into the political institutions and left the peace process to manage itself in many ways. So for organisations, such as our own, we are very much carrying the can, in many ways, of preventing the conflict from slipping back.<sup>49</sup>

He argues that grassroots organisations have neither the resources nor the capacity (including secure popular backing) to deliver ‘local level solutions’ to problems that relate to the deepest forms of division in Northern Ireland. This points to a bigger problem around coming to agreement or compromise in post-Agreement Northern Ireland. The negotiations around contentious events are not only about managing conflict but about the broader challenge of managing change; as one interviewee argues:

So it’s not just a case of managing conflict all the time or *per se* but it’s about managing change as well in terms of the overall process. And that’s not easy for a lot of communities because a lot of things are changing and people can feel vulnerable or people can feel nervous or people can feel elated. And it’s also about how that change is managed both *in* communities and *between* communities.<sup>50</sup>

The next section of this paper examines the ways in which negotiations around Twelfth of July parades and protests in Ardoyne, as well as being a symbolic exercise of power and

identity,<sup>51</sup> reflect these problems of inter- and intra-community legitimacy and power relations.

### *The local negotiations*

Jarman *et al.* find three main approaches to local accommodation: exploratory engagement (talks about talks), indirect engagement, and formal non-public engagement.<sup>52</sup> The Parades Commission has featured quite heavily in the first two types of engagement around contested parades/protest in Ardoyne. For example, indirect engagement has occurred through ‘shuttle mediation’, with the Parades Commission sometimes working to communicate concerns of the residents to the Orange bands, and vice versa. The most advanced form of negotiation – formal non-public engagement involving confidential discussions between the representatives of key parties – has been used quite frequently around contentious events but with certain qualifiers. First, the occasions for the most advanced formal liaisons between key local players are typically ‘just a couple of’ multi-agency meetings held fairly close to the event to ensure shared knowledge of the plans for protesting and policing.<sup>53</sup> Our research included observation of such meetings and it is notable that these were held in separate venues (i.e. either in one community or the other), within a few weeks of the Twelfth; that they centred around practical concerns about minimising the risk of public disorder and damage to property (either through police tactics or through riotous behaviour); on information rather than negotiation; and there was a sense that it was too late to avoid the risk of violence altogether. Those meetings that do involve negotiations between community representatives are not generally publicised because of overt opposition within the unionist political community to engagement with community level republicans (despite the power-sharing arrangements in the Assembly and Executive in Stormont). Moreover, it has been particularly difficult to get official representation from the parties concerned to formal talks, mainly because of the view of (a) the undesirability of compromise (given the broader conflict context described above) and (b) the negotiating partners.

We, thus, return to the discussion of legitimacy. One PSNI interviewee comments that the police tend to ‘talk through with the *legitimate* people what the policing operation is gonna look like and to prepare them for what it’s going to be’.<sup>54</sup> This hints at a problem with multiple and disjointed (mis)recognitions of who has the legitimacy to speak on behalf of whom in such negotiations. A fundamental problem for the legitimacy of those negotiating around contentious events is that many political representatives gained significant capital from *criticising* the Agreement and power-sharing arrangements.<sup>55</sup> Furthermore, whilst many

(particularly unionist parties) express scepticism at the idea of participatory democracy,<sup>56</sup> they appear willing to divert responsibility for negotiations around totem issues into the hands of ‘non-representative’ organisations. This correlates with the wider trends of alienation from political leadership in ‘particularized’ communities most affected by these contentious events; as noted above, this is most acutely felt in unionism. Mitchell notes that this ‘lack of legitimacy manifests itself in the distance mainstream unionism places between itself and former combatants’, which leads to a greater emphasis on local accommodation (thereby keeping political hands metaphorically clean).<sup>57</sup> In practice, political leaders of the unionist parties are hamstrung by the fact that they neither want to be associated with loyalism (as a hardline, working class identity with evident ties to paramilitarism) nor with compromise. But there are ambivalences on both sides in terms of their mutual legitimation. Sinn Féin also struggle to align their image and actions as central political players in the agreement macro-politics of power-sharing with the perceived continuing necessity of nationalists/republicans to engage in the politics of contestation at the level of neighbourhood and locality, especially in the face of Orange Order parades.

Jarman *et al.* note the various types of authority of those who may be involved in seeking local accommodation, including representative, delegated, memberships, personal, and political.<sup>58</sup> In the case of negotiations around contested parades, then, authority generally takes two different forms: it is delegated to negotiators on the part of the Orange bands and to representatives on the part of the protestors (not only through Sinn Féin but also through residents’ collectives who may act as a front for other political republican organisations). In effect, though, negotiators tend to be former combatants on both sides: ‘these are people who were sworn enemies and who were prepared to kill one another in a previous period of time’.<sup>59</sup> What brings them to this position is both their community activism and the respect given to them for their demonstrated commitment to the local community; they have strong credentials in terms of adherence to the *illusio* and *doxa* of their field.

Sometimes, a lot of the time actually, ex-combatants from the unionist community who would be doing, like, voluntary work and ex-combatants from the nationalist and republican community who would have been to jail for membership in the republican movement would be involved [in negotiations].<sup>60</sup>

The negotiators themselves would, unsurprisingly, downplay their historical engagement in conflict and emphasise their contemporary experience and the localised basis for their legitimacy:

Essentially [our republican negotiating body] is just residents who live locally. And when we know what's going on we try to— we try to go to meetings on behalf of people who don't want to do it 'cos people are afraid in this community to get involved in talks with the [loyalist negotiating body].<sup>61</sup>

The interviewee here is keen to emphasise his negotiating rights as a resident and gives the impression of being a reluctant leader, but for the sense of duty to speak on behalf of residents otherwise inhibited and voiceless. This framing of his negotiating position as, first and foremost, a concerned resident is done not so much to reassure his negotiating counterparts, or the Parades Commission, as to draw a thread of legitimacy more grounded in the local community than the (dissident) republican group, increasing gaining prominence in protests at parades through Ardoyne.

### *The fear of compromise*

This leads to the related issue of risks posed to the negotiators from within their own community. Wolff has argued that conflict can be significantly exacerbated by intra-communal diversity.<sup>62</sup> One of the greatest difficulties faced by workers engaged in cross-community work is that of maintaining support from within their own communities.<sup>63</sup> Even the mere willingness to negotiate can be subject to contempt, not least because it implies acceptance of compromise.<sup>64</sup> Thus, both sides of negotiation become beholden to domestic constituencies, vulnerable to pressure and possible sabotage by extreme positions, with the accusation of 'selling out' being the most easily cast. Our interviewees from both 'sides' freely mentioned the pressure they felt from their own communities because of misperception and distrust of the intentions of the other and the risks posed by compromise.<sup>65</sup> In both constituencies, against the wider background of uneasy agreement, the issue of parades can be used to destabilise not only the peace process but also the position of political representatives.

Thus, each community representative or political leader willing to engage in negotiations around the issue of parading needs to assess the likely risk posed: For republican negotiators, the particular challenge is that the fact of liaising with the PSNI, the Parades Commission and (even indirectly) the loyalist negotiators representing the marchers, confers a certain legitimacy on these bodies and a clear responsibility to follow through the agreed recommendation. One interviewee notes that this is a major downside of the capacity to negotiate for republicans.<sup>66</sup> For loyalist negotiators, the intra-community tensions are also highly evident and have a severe debilitating effect on the willingness to compromise. This is eloquently described by one of the interviewees negotiating on the other side:



The people who negotiated with us were primarily the UDA and the UVF and a couple of representatives from the bands. And they were sitting there. And any compromise that was going to come around – the UDA was looking at the UVF, they were looking at each other to see who was gonna compromise first or who would be blamed for losing the Twelfth march on the Crumlin Road. So we were always in a situation where someone's gonna end up getting blamed for this and is UDA gonna be the ones who sold out or is UVF gonna be the ones who sold 'cos nobody else was doing the business in the room.<sup>67</sup>

In addition to the tensions within the closed negotiations is the fear that the ramifications of compromise will be seriously exacerbated not just by the media but by local politicians themselves.<sup>68</sup> Nobody wants to be associated with compromise on these matters of cultural significance. That this is a major concern – and that it can be generally assumed that any concession will be roundly criticised – reflects back on the lack of a shared civic culture and the lack of a culture of compromise in post-Agreement Northern Ireland. The dividing up of resources and recognition in this society thus becomes translated back to the dividing up of time and space in the contested event on the day. In this context, those charged with finding local accommodation around a contested event that has been given immeasurable cultural significance for the community, have cause to doubt whether there is any serious political will among those in the 'detached' political class for finding agreement:

It's no good twenty of us sitting down at a table to sign up, barter out a deal. For me it's about shifting the critical mass. It's about changing the narrative. I think if the desire is there we can take the sting out of Loyal Order parades but you've got to ask yourself 'do people want that?'<sup>69</sup>

## **Conclusion**

In this paper we argued that the enduring problem of stalemates, standoffs, confrontations and street violence around contentious parades and protests in Northern Ireland is a symptom not only of its ailing political system but a sign of a lack of common civic culture in Northern Ireland society where legitimacy and political authority are still derived exclusively from within, rather than across communities. Here cultural power has worked to create stable 'particularised' classes who are necessarily constrained in their interpretation and available repertoires for reaction to contentious events. Such classes are embedded in separate fields,

which is to say that members are assumed to participate in a shared social struggle (*illusio*) and to conform to particular, localised norms and rules of behaviour (*doxa*). These notions help to explain contemporary grass-root polarisation in Northern Ireland, in the context of which commemorative contentious events and protests perform the ritualistic function of solidifying and consolidating group cohesion, stressing and re-embedding territorial definitions of community.

Whilst, in the lead up to contentious events, elite-level actors place a heavy emphasis on the vital role for local-level negotiation and accommodation, there is currently little evidence that those at the highest levels of power in Northern Ireland really do believe they have more to lose than to gain from the perpetuation of conflict around this symbolic demonstration (be it through parades or protests) of community identity. Arguably, such events have helped leading political representatives to reconcile an ideological tension: aligning their role and actions as central political players in the Agreement macro-politics of compromise with the perceived continuing necessity of ‘particularised’ constituencies to engage in the politics of contestation at the level of neighbourhood and locality. Thus, we argued, any efforts at finding a local solution are inextricably hamstrung by the social and political realities of post-Agreement Northern Ireland where ‘both sides’ of negotiation become beholden to domestic constituencies, while the challenges to the involvement of local negotiators pose serious risks from within their own communities.

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<sup>1</sup> This paper is based on original research conducted in the Conflict in Cities and the Contested State project (2008-2012), ESRC large grant No. RES-060-25-0015, [www.conflictincities.org](http://www.conflictincities.org).

<sup>2</sup> Mark Haugaard, “Reflections upon Power, Legitimacy and the Constitution of the Social Subject,” *Journal of Political Power* 4(2) (2011), pp. 161-167.

<sup>3</sup> Norbert Elias, *The Civilising Process: Sociogenetic and Psychogenetic Investigations* (Trans. E. Jephcott; edited by E. Dunning, J. Goudsblom, and S. Mennell) (London: Blackwell, 1994); Erving Goffman, *The Presentation of Self in Everyday Life* (New York: Doubleday, 1959).

<sup>4</sup> Jonathan Hearn, “The Strength of Weak Legitimacy: A Cultural Analysis of Legitimacy in Capitalist, Liberal, Democratic Nation-States,” *Journal of Political Power* 4(2) (2011), pp. 199-216; Haugaard, “Reflections upon Power”.

<sup>5</sup> Cathryn Johnson, Timothy J. Dowd, and Cecilia L. Ridgeway, “Legitimacy as a Social Process,” *Annual Review of Sociology* 32 (2006), pp. 53-78.

<sup>6</sup> Haugaard, “Reflections upon Power”, p. 163.

<sup>7</sup> Haugaard, “Reflections upon Power”, p. 162.

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- <sup>8</sup> Mark Haugaard, "Power and Social Criticism: Reflections on Power, Domination and Legitimacy," *Critical Horizons* 11(1) (2010), pp. 51-74.
- <sup>9</sup> Paul Apostolidis, "Sex Scandals, Racial Domination and the Systemic Correlation of Power-Modalities in Foucault," *Journal of Political Power* 4(2) (2011), pp. 179-198.
- <sup>10</sup> Gitte Sommer Harrits, "Political Power as Symbolic Capital and Symbolic Violence," *Journal of Political Power* 4(2) (2011), pp. 237-258.
- <sup>11</sup> Haugaard, "Reflections upon Power", p. 163.
- <sup>12</sup> Brendan Murtagh, "New Spaces and Old in Post-conflict Belfast," Working paper No. 5 (Conflict in Cities and the Contested State working paper series, 2008), [www.conflictincities.org/workingpapers.html](http://www.conflictincities.org/workingpapers.html).
- <sup>13</sup> Arthur Aughey, *The Politics of Northern Ireland: Beyond the Belfast Agreement* (Abingdon, UK: Routledge, 2005), p. 26 (emphasis in original).
- <sup>14</sup> Haugaard ("Reflections upon Power", p. 167) notes that 'ontological insecurity' is the condition of the modern social subject but warns that, '[i]f that subject tries to overcome their ontological insecurity, they may be attracted to a singular interpretative horizon that provides all the answers, wherein lies the root of totalitarianism.'
- <sup>15</sup> Pierre Bourdieu, *Distinction: A Social Critique of the Judgement of Taste* (London: Routledge, 1984); Pierre Bourdieu, *The Logic of Practice* (Stanford, CA: Stanford University Press, 1990).
- <sup>16</sup> Jean Hillier and Emma Rooksby, "Introduction to First Edition", in Jean Hillier and Emma Rooksby, eds, *Habitus: A Sense of Place* (Aldershot, UK: Ashgate, 2005, second edition), pp. 19-42.
- <sup>17</sup> Pierre Bourdieu, "Physical Space, Social Space and Habitus," Lecture, University of Oslo, 15 May 1995 ([www.sv.uio.no/iss/forskning/aktuelt/arrangementer/aubert/tidligere/dokumenter/aubert1995.pdf](http://www.sv.uio.no/iss/forskning/aktuelt/arrangementer/aubert/tidligere/dokumenter/aubert1995.pdf)).
- <sup>18</sup> Bourdieu, *Distinction*; Harrits, "Political Power".
- <sup>19</sup> Bourdieu, *The Logic of Practice*; Harrits, "Political Power".
- <sup>20</sup> Emile Durkheim, *The Elementary Forms of Religious Life* (Oxford: Oxford World's Classics [Translated by Carol Cosman], 1912).
- <sup>21</sup> Neil Jarman, *Material Conflicts: Parades and Visual Displays in Northern Ireland* (Oxford: Berg, 1997); Marc Howard Ross, *Cultural Contestation in Ethnic Conflict* (Cambridge: Cambridge University Press, 2007).
- <sup>22</sup> Steven Lukes, "Political Ritual and Social Integration," *Sociology* 9 (1975), pp. 289-308.
- <sup>23</sup> Jan Koster, "Ritual Performance and the Politics of Identity: On the Functions and Uses of Ritual," *Journal of Historical Pragmatics* 4(2) (2003), pp. 211-248.
- <sup>24</sup> Ibid., p. 243.
- <sup>25</sup> Dominic Bryan, "The Anthropology of Ritual: Monitoring and Stewarding Demonstrations in Northern Ireland," *Anthropology in Action* 13(1-2) (2006), pp. 22-31.
- <sup>26</sup> Elias, *The Civilising Process*.

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- <sup>27</sup> Randall Collins, *Interaction Ritual Chains* (Princeton, New Jersey: Princeton University Press, 2004).
- <sup>28</sup> Haugaard, “Reflections upon Power”, p. 163.
- <sup>29</sup> David Cameron, Address by the Prime Minister to the Northern Ireland Assembly, 9 June 2011 ([www.niassembly.gov.uk/Documents/Speaker/reports/9\\_06\\_11.pdf](http://www.niassembly.gov.uk/Documents/Speaker/reports/9_06_11.pdf)).
- <sup>30</sup> There were 3962 parades in 2010/11 and 4182 parades in 2011/12, 60 per cent of which were broadly unionist (including the Orange Order and loyalist marching bands). 213 parades were considered contentious in 2011/12 (all but 7 per cent of these being broadly unionist), and 69 per cent of these had restrictions imposed on them. (Parades Commission, *Annual Report and Financial Statement 2011/12* ([www.paradescommission.org/fs/doc/publications/pc-2012-annual-report.pdf](http://www.paradescommission.org/fs/doc/publications/pc-2012-annual-report.pdf))).
- <sup>31</sup> For example, the republican parade to commemorate IRA members through a village on the Irish border generated enormous media interest and political comment in the summer of 2013, at the same time as the standoff in Ardoyne was mounting, see “Cancel Castlederg parade – [Secretary of State] Villiers,” *Belfast Telegraph* (8 August 2013).
- <sup>32</sup> Northern Ireland Statistics and Research Agency (NISRA), *Census 2011 Population Statistics for Ardoyne Ward* (<http://www.ninis2.nisra.gov.uk/>).
- <sup>33</sup> Walking interviews conducted in the area for this project presented plenty of data about the intense feelings of ‘them v. us’ on the subject of resources, with Catholic respondents emphasising the better quality and quantity of housing on the ‘other’ side.
- <sup>34</sup> Peter Shirlow, “‘Who Fears to Speak’: Fear, Mobility, and Ethno-sectarianism in the Two ‘Ardoyne’”, *The Global Review of Ethnopolitics* 3(1) (2003), pp. 76-91.
- <sup>35</sup> Marie-Therese Fay, Mike Morrissey and Marie Smyth, *Northern Ireland’s Troubles: The Human Costs* (London: Pluto Press, 1999), Table 5.4; Ardoyne Commemoration Project, *Ardoyne: The Untold Truth* (Belfast: Beyond the Pale, 2002).
- <sup>36</sup> Shaul Cohen, “Winning while Losing: The Apprentice Boys of Derry Walk their Beat,” *Political Geography* 26 (2007), pp. 951-967.
- <sup>37</sup> Interviewee (7/CinC B4 2011, loyalist negotiator).
- <sup>38</sup> The interviewee (9/CinC B4 2011) was speaking in his capacity as a community worker engaged in trying to ameliorate interface conflict in North Belfast.
- <sup>39</sup> This interview was one of those conducted through the Conflict in Cities project in the ‘Conflict Management’ module by the authors, a number of which are drawn on in this paper. The interviewee (13/CinC B4 2012) was speaking in his capacity as a negotiating partner on behalf of the unionist community around parading in North Belfast.
- <sup>40</sup> Jessica Blomkvist and Claire Hackett, *Issues and Strategies for Conflict Transformation at Belfast’s Interfaces* (Belfast: Belfast Conflict Resolution Consortium, 2008).
- <sup>41</sup> The interviewee (7/CinC B4 2011) was speaking in his capacity as a negotiating partner on behalf of the loyalist community around parading in North Belfast.

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<sup>42</sup> For example, conversations observed whilst part of ‘parading’ and ‘spectating’ groups on the morning of 12 July 2012 in North Belfast included frequent reference to the Parades Commission decision to constrain the return parade through Ardoyne that evening and the general sense that, as one lady put it, “The tables have turned” in the power order in Northern Ireland.

<sup>43</sup> Neil Jarman, Mary-Kathryn Rallings and John Bell, *Local Accommodation: Effective Practice in Responding to Disputes over Parades* (Belfast: Institute for Conflict Research, 2009), p. 19.

<sup>44</sup> Peter North, *Report of the Independent Review of Parades and Marches* (Belfast: Stationery Office, 1997, <http://cain.ulst.ac.uk/issues/parade/docs/north97sum.pdf>).

<sup>45</sup> George Quigley, *Report of the Independent Review of the Parades Commission* (Belfast: Stationery Office, 2002, <http://cain.ulst.ac.uk/issues/parade/docs/quigley270902.pdf>), para. 17.

<sup>46</sup> Northern Ireland Affairs Committee, *The Parades Commission and Public Processions (Northern Ireland) Act 1998: Second Report of Session 2004-2005* (London: The Stationery Office, 2005, <http://www.parliament.the-stationery-office.co.uk/pa/cm200405/cmselect/cmniaf/172/172.pdf>), p. 21, para. 58.

<sup>47</sup> Parades Commission, *Determination made in relation to the Ligoniel True Blues LOL 1932 parade notified to take place in Belfast on 12 July 2012*, (det ligoniel lol 1932 12.07.2012, <http://www.paradescommission.org/parades/?parade=40130>), para 12.

<sup>48</sup> The interviewee (1/CinC B4 2010) was speaking in his capacity as PSNI senior officer in north and west Belfast.

<sup>49</sup> Interviewee (13/CinC B4 2011, loyalist negotiator).

<sup>50</sup> The interviewee (10a/CinC B4 2011) was speaking in his capacity as a community worker in a not-for-profit organisation working in an ‘interface’ area in North Belfast.

<sup>51</sup> Cohen, “Winning while Losing”, p. 955.

<sup>52</sup> Jarman, Rallings and Bell, *Local Accommodation*, pp. 24-28.

<sup>53</sup> Interviewee (12/CinC B4 2011, republican negotiator)

<sup>54</sup> Interviewee (1/CinC B4 2010, PSNI).

<sup>55</sup> Stacie Goddard, “Brokering Peace: Networks, Legitimacy, and the Northern Ireland Peace Process,” *International Studies Quarterly* 56(3) (2012), pp. 501-515; Katy Hayward, “Convergence/Divergence: Party Political Discourse in Northern Ireland’s Transition from Conflict,” *Dynamics of Asymmetric Conflict* 4(3) (2011), pp. 196-213.

<sup>56</sup> See, for example, the Assembly debate around the motion to reconvene the Civic Forum (the main arena for participative democracy allowed for in the Agreement but that was only short-lived), 9 April 2013. The motion was passed by one vote. (<http://www.niassembly.gov.uk/Assembly-Business/Official-Report/Reports-12-13/9-April-2013/>).

<sup>57</sup> Claire Mitchell, “The Limits of Legitimacy: Former Loyalist Combatants and Peace-Building in Northern Ireland,” *Irish Political Studies* 23 (1) (2008), pp. 1-19.

<sup>58</sup> Jarman, Rallings and Bell, *Local Accommodation*, pp. 36-37.

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<sup>59</sup> Interviewee (7/CinC B4 2011, loyalist negotiator).

<sup>60</sup> Interviewee (9/CinC B4 2011, community worker).

<sup>61</sup> The interviewee (12/CinC B4 2011) was speaking in his capacity as a negotiating partner on behalf of the nationalist residents protesting at 12 July parades through Ardoyne.

<sup>62</sup> Stefan Wolff, "Conflict management in Northern Ireland," *MOST Journal on Multicultural Studies* 4(1) (2002), pp. 1-29.

<sup>63</sup> Neil Jarman, *Working at the Interface: Good Practice in Reducing Tension and Violence*, (Belfast: Institute of Conflict Research, 2006).

<sup>64</sup> Cohen, "Winning while Losing", p. 963.

<sup>65</sup> This was particularly argued by an interviewee (7/CinC B4 2011, loyalist negotiator).

<sup>66</sup> The interviewee (11/CinC B4 2011) was speaking in his capacity as a community worker engaged in trying to ameliorate interface conflict in North Belfast.

<sup>67</sup> Interviewee (11/CinC B4 2011, community worker).

<sup>68</sup> Jarman, *Working at the Interface*.

<sup>69</sup> Interviewee (9/CinC B4 2011, community worker).